

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION**

**M.M.,**

**Plaintiff,**

**v.**

**VGW US, INC., VGW HOLDINGS US,  
INC., and VGW LUCKYLAND, INC.,**

**Defendants.**

**Case No. 1:25-cv-10514-DJC**

**DECLARATION OF GREGORY D. BEAMAN IN SUPPORT  
OF DEFENDANTS' MOTION TO COMPEL ARBITRATION**

I, GREGORY D. BEAMAN, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am a member of the Bars of the States of New York and South Carolina, and the District of Columbia, and have been admitted *pro hac vice* in this action. I am a partner with the law firm Orrick, Herrington & Sutcliffe LLP, counsel to Defendants VGW US, Inc., VGW Holdings US, Inc., and VGW Luckyland, Inc. (“VGW Group”) in this action. I make this declaration on personal knowledge and in support of VGW Group’s motion to compel arbitration.

2. Earlier this year, my partner Behnam Dayanim and I spoke with Plaintiff’s counsel, Joel Smith, by telephone regarding this case. Mr. Smith represented that Plaintiff did not opt out of the arbitration clauses in the terms of service for *Luckyland Slots* and *Chumba Casino*, the two online social gaming platforms at issue in this case. I memorialized this in an email to Mr. Smith dated April 14, 2025, attached hereto as **Exhibit 1**, in which I stated: “The last we spoke about this case, you mentioned that your client (who purports to proceed anonymously) did not opt out of the arbitration clause in the Luckyland Slots or Chumba Casino terms of service.” **Exhibit 1** at 2.

3. Because Plaintiff filed this action anonymously and has not disclosed his identity to VGW Group, I also asked Mr. Smith in my April 14, 2025, email, attached as **Exhibit 1**, to identify the date(s) on which Plaintiff last played *Chumba Casino* and *Luckyland Slots*. Mr. Smith responded that his “understanding is that” Plaintiff last played *Chumba Casino* on January 2, 2025 (**Exhibit 1** at 2), and last played *Luckyland Slots* “around the same time” (**Exhibit 1** at 1).

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Charleston, South Carolina, on May 5, 2025.

/s/ Gregory D. Beaman  
GREGORY D. BEAMAN